Remarks

Claim 1 was amended.

Claims 5 and 7 have been canceled.

Claim 8 has been added. Support for new claim 8 is found in the specification at page 6, lines 13-24, and Figure 6.

Claims 1-4, 6 and 8 are pending.

Restriction Requirement

Applicants have canceled claim 7 drawn to a non-elected invention.

Rejection under 35 U.S.C. §112, Second Paragraph

Claims 1-6 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse this rejection.

The Examiner objected to the phrase "inserted removably" in claim 1 as being unclear or contradictory. Applicants amended claim 1 to recite "inserted and removed." Applicants' recited mount frame structure and its operation with the battery modules are directed to, and readily evident to, one of ordinary skill in the art. The original and amended language embodies Applicants' disclosed invention which provides a frame mount that enables an individual battery module to be easily replaced, i.e. inserted and removed, see page 2, lines 2-10. The amendment in claim 1 to replace "inserted removably" with "inserted and removed" was only made to clarify the original wording and not for reasons related to patentability. The above amendment and remarks are believed to overcome the Examiner's rejection under 35 U.S.C. §112, second paragraph. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection.

Rejection under 35 U.S.C. §102

Claim 1 was rejected under 35 U.S.C. §102(b) as being anticipated by JP 08-164751 A (JP '751). The rejection is moot because claim 5 has been included in claim 1. Applicants are not conceding the correctness of the rejection.

Claims 1 and 2 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,981,101 to *Stone*. The rejection is moot because claim 5 has been included in claim 1. Applicants are not conceding the correctness of the rejection.

Claims 1, 5, and 6 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,436,792 to *Tomino*. Applicants respectfully traverse this rejection.

Tomino discloses a frame body 120 provided with terminals 126a and 128b having unevenness. Additionally, *Tomino* discloses a battery module 10a in which the terminal contact points have unevenness. However, only the terminals have unevenness in *Tomino's* battery module 10a. In contrast, the invention of claim 1 provides a mount frame having unevenness on an inner surface of each opening, and which frame unevenness engages the unevenness on a surface of each battery module. Further, the mount frame has a plurality of openings having surface unevenness. The surface unevenness of the plurality of openings in the mount frame engages the unevenness of the battery module to, for example, enhance the contact area and the heat transfer properties of the battery module (page 6, lines 21-24). Thus, claims 1 and 6 are not anticipated by *Tomino*.

Claims 1, 2, and 6 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,366,827 to *Belanger*. The rejection is moot because claim 5 has been included in claim 1. Applicants are not conceding the correctness of the rejection.

Claims 1, 3, and 4 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,085,854 to *Nishikawa*. The rejection is moot because claim 5 has been included in claim 1. Applicants are not conceding the correctness of the rejection.

Claims 1-5 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,326,103 to *Ido*. Applicants respectfully traverse this rejection.

The mount frame of *Ido* has unevenness (steel beams 32). Additionally, the battery module of *Ido* is provided with ribs 12. However, as shown in *Ido's* Figs 1 and 2, the ribs 12 are orthogonal to the steel beams 32, and the ribs 12 do not engage the steel beams 32. Thus, claim 1 and claims 2-4 dependent thereon are not anticipated.

Thus, it is respectfully submitted that the instant claims are not anticipated for at least the above reasons. Accordingly, withdrawal of the above rejections under 35 U.S.C. §102 is respectfully requested.

Rejection under 35 U.S.C. §103

Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable: over JP '751 in view of *Ido;* over *Stone* in view of *Ido*; over *Belanger* in view of *Ido;* or over *Nishikawa* in view of *Ido.* Applicants respectfully traverse this rejection.

Ido does not suggest features found in former claim 5 for the reasons discussed above and is not combinable with the primary references. Therefore, amended claim 1 is not obvious. According, it is respectfully requested that the Examiner withdraw the rejections under 35 U.S.C. §103(a).

Conclusion

It is believed that this application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

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Version With Markings To Show Changes Made

In the Specification

The paragraph beginning at page 4, lines 26-31, has been amended as follows:

-- The mount frame 20 may be disposed so that the [batter] battery modules 10 are placed in a vertical direction (i.e., the electrode plates of the battery modules 10 are placed in a vertical direction). Alternatively, the mount frame 20 may be disposed so that the battery modules 10 are placed in a horizontal direction (i.e., the electrode plates of the battery modules 10 are placed in a horizontal direction). --

In the Claims

Claims 5 and 7 have been cancelled without prejudice.

Claim 8 has been added.

Claim 1 has been amended as follows:

1. (Once amended) A mount frame for battery modules, for fixing a plurality of rectangular battery modules, comprising a frame having a plurality of openings into which the battery modules are inserted [removably] and removed,

wherein the frame has unevenness on an inner surface of each opening, and which frame unevenness is engaged with unevenness on a surface of each battery module.